

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYRUS HAZARI,

Plaintiff,

v.

SUPERIOR COURT OF SANTA CLARA
COUNTY ET AL, et al.,

Defendants.

Case No. [21-cv-04262-JSW](#)

**ORDER DENYING MOTION FOR
DISABILITY ACCOMMODATION**

Re: Dkt. No. 75

This matter comes before the Court upon a motion for a disability accommodation, in the form of a one year stay, filed by Leslie Hagan, a “certified ADA Advocate”, on behalf of Plaintiff, Cyrus Hazari (“Mr. Hazari”).¹ The Court has considered the papers, relevant legal authority, and the record in this case and for the reasons that follow DENIES the motion.

On June 3, 2021, Mr. Hazari filed this case and alleged that Defendants violated his rights under the Americans with Disabilities Act by failing to accommodate him based on a diagnosis of multiple sclerosis. Mr. Hazari also purported remove a number of cases from California state courts, stated his disability precluded him from preparing a complete complaint and asked the Court to accommodate his disability by staying the litigation. Defendant Mandy Brady (“Ms. Brady”) opposed Mr. Hazari’s request to stay the matter, and on July 29, 2021 filed a motion to dismiss.

On September 8, 2021, the Court granted Mr. Hazari’s motion to stay and denied the motion to dismiss without prejudice. Although the Court addressed some issues while the matter

¹ Mr. Hazari is representing himself. “[A] non-attorney may appear in propria persona in his own behalf,” but “that privilege is personal to him.” *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987).

1 was stayed, no action has been on the substance of Mr. Hazari's claims.

2 On July 1, 2022, the Court granted Ms. Brady's motion to lift the stay, and it reset the
3 briefing schedule on her motion to dismiss. Mr. Hazari appealed that Order, and the Court granted
4 a further stay while the United States Court of Appeals considered the appeal. On July 21, 2022,
5 the Ninth Circuit dismissed the appeal for lack of jurisdiction.

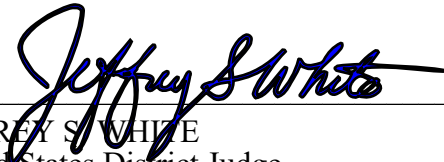
6 Mr. Hazari continues to argue the Court should stay this case because the stress of
7 litigation exacerbates his MS. He also now argues that he is suffering from long Covid. The
8 Court finds no basis to revisit its previous ruling that this case should proceed. Accordingly, the
9 Court DENIES the motion for a disability accommodation in the form of a one year stay.

10 Mr. Hazari shall file an opposition to the motion to dismiss by no later than October 7,
11 2022, and Ms. Brady may file a reply by October 14, 2022. The Court will allow Mr. Hazari 25
12 pages to oppose the motion and Ms. Brady may have 20 pages for the reply.

13 If Mr. Hazari fails to file an opposition on or before October 7, 2022, the Court will deem
14 Ms. Brady's motion submitted and will issue a written ruling based on her moving papers.

15 **IT IS SO ORDERED.**

16 Dated: September 8, 2022

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19 JEFFREY S. WHITE
20 United States District Judge
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